

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

UNITED STATES OF AMERICA : DOCKET NO. 14-cr-00229

VERSUS : JUDGE WALTER

SANDRA LYNETTE SMITH : MAGISTRATE JUDGE KAY

**REPORT AND RECOMMENDATION ON FELONY
GUILTY PLEA BEFORE UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28, United States Code, Section 636(b), and with the written and oral consent of the defendant, this matter has been referred by the District Court for administration of Guilty Plea and Allocution under Rule 11 of the Federal Rules of Criminal Procedure.

This cause came before the undersigned U. S. Magistrate Judge on June 2, 2015, at which time the defendant expressed a desire to waive her right to plead guilty before a District Judge and enter into a plea before the U. S. Magistrate Judge. Defendant indicated on the record her desire to consent to proceed before the undersigned and executed a waiver. Defendant was at all times represented by counsel, Cristie Gibbens.

After said hearing and for reasons orally assigned, it is the finding of the undersigned that the defendant is fully competent, that her plea of guilty is knowing and voluntary, that her guilty plea to Count One of the Indictment is fully supported by the written factual basis acknowledged by defendant orally in court and by her signature on the written document. This factual basis supports each essential element of the offense to which the defendant pled.

Therefore the undersigned U.S. Magistrate Judge recommends that the District Court **ACCEPT** the guilty plea of the defendant, Sandra Lynette Smith, and that Sandra Lynette Smith be finally adjudged guilty of the offense charged in Count One of the Indictment.

Under the provisions of 28 U.S.C. § 636(b)(1)(C) and FED. R. CIV. P. RULE 72(b), the parties have fourteen (14) days from service of this Report and Recommendation to file specific, written objections with the Clerk of Court. A party may respond to another party's objections within fourteen (14) days after being served with a copy thereof. A courtesy copy of any objection or response or request for extension of time shall be furnished to the District Judge at the time of filing. Timely objections will be considered by the District Judge before she makes a final ruling.

A PARTY'S FAILURE TO FILE WRITTEN OBJECTIONS TO THE PROPOSED FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS CONTAINED IN THIS REPORT WITHIN FOURTEEN (14) DAYS FROM THE DATE OF THIS SERVICE SHALL BAR AN AGGRIEVED PARTY, EXCEPT ON GROUNDS OF PLAIN ERROR, FROM ATTACKING ON APPEAL THE UNOBJECTED-TO PROPOSED FACTUAL FINDINGS AND LEGAL CONCLUSIONS ACCEPTED BY THE DISTRICT JUDGE.

THUS DONE this 8th day of June, 2015.



KATHLEEN KAY
UNITED STATES MAGISTRATE JUDGE